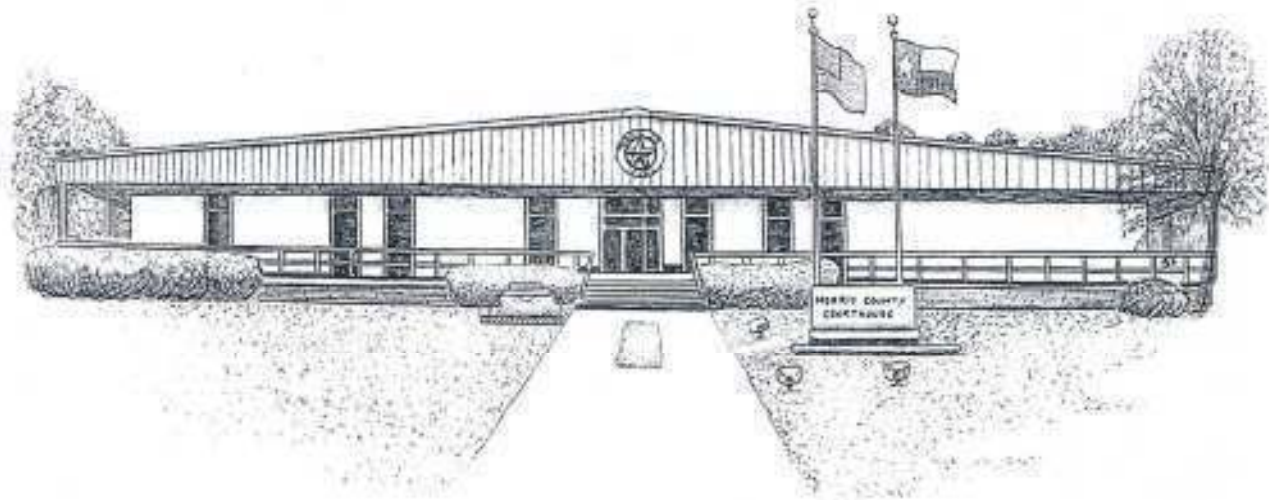




MORRIS COUNTY, TEXAS

2019 EQUAL EMPLOYMENT OPPORTUNITY PLAN



Morris County EEO Officer:
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Introductory Information

Policy Statement:

Morris County will provide a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, or disability. The prohibition against employment discrimination and harassment may extend to conduct that employees are subjected to from vendors, contractors, customers, or others who enter the workplace. Unlawful discrimination may include, but is not limited to, employment actions related to recruitment, examination, transfer, appointment, training, promotion, compensation, termination, layoffs, or the administration of employee benefits. **An applicant must meet the minimum standards for the position being filled, or must be capable of meeting such standards within a reasonable time, or that applicant cannot be considered for employment, regardless of any preference that may apply.** Morris County is committed to complying with all applicable federal, state, and local civil rights laws that pertain to employment. Any person employed by Morris County who fails to comply with this policy is subject to disciplinary action.

Further, Morris County affirms:

- Morris County and contractors commit to equal employment for all persons, regardless of race, color, creed, national origin, sex, or age;
- A commitment to undertake an affirmative action program, including goals and timetables, in order to overcome the effects of past discrimination on minorities and women;
- That the responsibility for the implementation of the EEO Program is assigned to the designated EEO Officer;
- That all management personnel share in this responsibility and will be assigned specific tasks to assure that compliance is achieved;
- That applicants and employees have the right to file complaints alleging discrimination with the appropriate official;
- That performance by managers and supervisors will be evaluated on the success of the EEO program the same way as their performance on their agency's goals; and
- That successful achievement of EEO goals will provide benefits to Morris County through the fuller utilization and development of previously underutilized human resources.

Morris County is also committed to making reasonable accommodation for the known physical or mental limitations of qualified individuals with disabilities and qualified veterans with disabilities, unless such accommodation would impose an undue hardship on the conduct of Morris County business. Morris County is equally committed to engaging in an interactive process with any person requesting accommodation as needed to determine a reasonable accommodation.

Additionally, colleagues and applicants shall not be subjected to any harassment, threats, coercion, intimidation, or discrimination because they have requested reasonable accommodation; filed a complaint; assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or exercised any other right protected by federal, state or local law requiring equal employment opportunity.

The adoption of this EEO plan by the Morris County Commissioners Court is a reaffirmation of adherence to and promotion by the County of the policy of nondiscrimination in all actions affecting Morris County employees. The guidelines and objectives contained in this plan are designed to assist Morris County and all of its employees in adhering to that policy.

Equal Employment Opportunity Program

PURPOSE

The purposes of the Equal Employment Opportunity / Affirmative Action Program are to:

- Establish County policy and commitment to equal employment opportunities;
- Identify jobs and departments where minorities and females are underrepresented;
- Set specific, measurable, attainable hiring and promotion goals;
- Monitor job descriptions and hiring criteria to ensure they communicate actual job needs only;
- Locate minorities and women who qualify or can become qualified to fill available positions.

AFFIRMATIVE ACTION PLAN

All Morris County staff, potential employees, and applicants are entitled to equal employment opportunities and will not be discriminated against because of race, religion, color, national origin, disability, age or sex, providing they are otherwise qualified and meet requirements established by Morris County for the job they seek.

Morris County will do the following, as a minimum effort, to utilize minorities and women in all levels of the workplace and in all parts of our workforce:

- Post job openings in locations frequently utilized by protected classes, such as the Work in Texas website, Unemployment Office, community centers, public libraries, and public bulletin boards in local retail outlets.
- Announce job openings in local media, to include minority newspapers or radio stations.
- Encourage minorities and women to apply for open positions.

EEO Officer: General Responsibilities

The County Treasurer is the designated Equal Employment Opportunity Officer for Morris County. This Officer will be responsible for implementing and managing the EEO program. Individuals who would like to discuss this policy, and/or file a complaint alleging discrimination, should contact the EEO Officer.

The EEO Officer will perform the following duties:

- Develop and recommend EEO policy, a written EEO program, and internal and external communication procedures;
- Assist management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals;
- Design, implement, and monitor internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed;
- Report periodically to the County Judge on progress toward the County's EEO goals;
- Serve as liaison between the County, Federal, State, and local governments, regulatory agencies, minority, handicapped and women's organizations, and other community groups;
- Assure that current legal information affecting affirmative action is disseminated to responsible officials;
- Assist in recruiting minority, handicapped and women applicants and establishing outreach sources for use by hiring officials; and
- Process employment discrimination complaints.

The responsibilities assigned to Morris County Management (which includes all elected officials and all supervisors) are:

- Assist in identifying problem areas and establishing agency and unit goals and objectives;
- Be actively involved with local minority organizations, women's and handicapped groups, community action organizations and community service programs designed to promote EEO;
- Actively participate in periodic audits of all aspects of employment, to identify and remove barriers obstructing the achievement of goals and objectives;
- Conduct regular discussions with other elected officials, supervisors, and employees to assure the County's policies and procedures are being followed;
- Review the qualifications of all employees to assure that minorities, handicapped persons, and women are given full opportunities for transfers, promotions, training, salary increases, and other forms of compensation;
- Participate in the review and investigation of complaints alleging discrimination;
- Conduct and support career counseling for all employees; and
- Participate in periodic audits to ensure that each agency unit is in compliance (e.g., EEO posters are properly displayed on all employee bulletin boards).

Review and Revision of Employment Practices

Recruitment and Testing

- All job openings will be posted on the Morris County website, the website associated with Workforce Solutions East Texas (www.WorkinTexas.org), placed in the local newspaper when needed, and printed copies will be posted in break rooms and common areas where they will be likely to be seen by all Morris County staff.
- All job postings will contain the following statement: **"Morris County is an Equal Opportunity / Affirmative Action Employer."**
- When testing is performed for a position, it is done to ensure that the applicant has the minimum level of knowledge, skill or ability required for the position. Identical testing materials and conditions will be provided to every applicant interviewing for the specific job.

Position Descriptions

- All position descriptions will be developed using a job information questionnaire that includes the job duties, educational requirements, minimum number of years of experience required, skills and abilities needed to perform the work, and all physical requirements of the position.
- These detailed requirements will be included in the "employment opportunity" posting on the Morris County website. Each additional posting method used will direct applicants to the Morris County website or to the EEO Officer's office to view the full job description for each position.

Transfer procedures

- The department head or elected official making the transfer decision will focus on one's ability to perform assigned tasks and duties, rather than longevity.
- Employees' applications or resumes and employee files will be reviewed prior to making a selection.

Wage Procedures

- All wages for new employees, transfers and promotions must meet the budgetary requirements of the position.
- Wages must have the approval of the Commissioners Court prior to hiring.

Salary Level and other Benefits

- Salaries for a position are determined based on the responsibilities contained in

the job requirements and the scope of services required of the position.

- The benefits available to an employee are based on their employment status with Morris County (e.g., full-time, part-time).
- The benefits offered to employees are always included in the Morris County Personnel Policies which are set and approved by the Morris County Commissioners Court.

Disciplinary Procedures

- Morris County adheres to the discipline structure outlined in the Morris County Personnel Policies.

Termination and Layoff

- Employee terminations and layoffs are based on Morris County policy and documented job performance.

Training

- Training programs shall be designed to upgrade the skills of employees so that they can improve performance in their present position.
- On-the-job training will be designed so that employees have an opportunity to acquire skills needed to qualify for a better position with Morris County.

Goals and Timetables

The County Judge, with the assistance of the EEO Officer, shall annually perform the following activities necessary to prepare and update the goals and timetables of the Affirmative Action Plan for Equal Opportunity:

- Annually analyze the Morris County workforce to set goals for the employment of women and minorities.
- Goals and timetables will be reviewed by the EEO Officer to assure compliance with the overall goals and timetables for Morris County.
- The EEO Officer will annually review the process of the Morris County Affirmative Action Program and make necessary revisions to the goals and timetables.
- EEO logs will be kept which contain the name of each applicant, date applied, how referred, gender and race.

EEO Complaint Process

Individuals who would like to discuss and/or file a complaint alleging discrimination should contact the EEO Officer or County Judge. **The EEO Officer should be contacted immediately, if you believe you have been discriminated against.** The following procedures will be used to process discrimination complaints:

Counseling

The first step in resolving discrimination complaints is counseling. The purpose of counseling is to determine whether there is a problem, and if there is, to correct it as soon as possible. Emphasis at this point is on early resolution.

The EEO Officer is responsible for clarifying the problem and attempting to resolve it to everyone's satisfaction. The EEO Officer will:

- Clarify the issues;
- Identify whether the problems are covered by the EEO Office's Discrimination Complaint Process;
- Outline alternative procedures;
- Identify options;
- Attempt to work out a resolution agreeable to all concerned, if possible;
- Provide information on external enforcement agencies (*i.e.*, the EEOC, the Texas Commission on Human Rights).

The Complainant must sign the EEO Discrimination Complaint Form issued by the EEO Officer before an informal process can begin. The EEO Officer has fifteen (15) working days to counsel and make efforts to resolve the issue informally. If, at the end of this time period, there is no resolution in sight, the Complainant will be informed of their right to proceed with a formal complaint. If they wish to continue to pursue their allegations and have the EEO Officer begin a formal investigation, the Complainant may file a formal complaint within five (5) working days.

Filing a Formal Complaint

The Complainant must sign the Internal Discrimination Complaint Form issued by the EEO Officer before a formal investigation can begin. The Complainant should be prepared to support any allegations claimed to be discriminatory by furnishing all pieces of pertinent evidence: letters, memos, dates, times, and/or witnesses to the claim alleged in the complaint. A mere allegation of discrimination may be insufficient to make a determination. The investigative part of the process is designed to establish the facts, once clear basic information is provided.

Rejecting a Complaint

If the EEO Officer decides to reject a complaint, the Complainant will be notified in writing within ten (10) working days after a formal complaint is filed.

The EEO Officer may reject any claim, if the officer determines that the allegations are not within the realm of the discrimination guidelines. If the EEO Officer makes this determination, the notice of rejection will be final and cannot be appealed unless new evidence can be presented which falls within the discrimination guidelines of race, color, creed, religion, national origin, disability, sex or age.

Investigation

If a formal complaint is accepted, the EEO Officer will investigate it. The investigation will be completed within twenty-five (25) working days of receiving the formal complaint. An investigation may be extended beyond the twenty-five (25) working days if it is deemed necessary to conduct a more thorough, in-depth investigation. The EEO Officer will conduct interviews, take affidavits from the Complainant and other apparent witnesses, and will gather any other pertinent information from all available sources.

Proper investigation of any allegation of discrimination requires that any employee with relevant knowledge assist in the investigation. Such participation may be in the form of verbal communications, written statements, or providing other records that may be relevant. Any employee deemed to have relevant knowledge of the allegations shall participate to the best of his or her ability during these investigations.

Informal Resolution

During and at the conclusion of the investigation, the EEO Officer, when feasible and consistent with Morris County policies and procedures, will continue to attempt to resolve the complaint on an informal basis. The Complainant must sign and date any resolution offer that has been accepted. Such acceptance constitutes settlement of the complaint; however, any resolution offered and accepted does not constitute an admission of any wrongdoing by Morris County or any of its agents.

One of the major objectives of the complaint process is fairness and early resolution of complaints. Consequently, Morris County regards the efforts made by all parties in early resolution attempts as crucial to the integrity and intent of this process.

Complaint Disposition

At the conclusion of the investigation, the EEO Officer will issue findings of fact and conclusions, and will make recommendations for corrective action, if required, or other resolutions. The Complainant will be contacted to receive and sign their acknowledgment of receipt of the EEO Officer's disposition of their complaint. Thereafter, the accused person will be notified of the EEO Officer's recommendations.

Appeal of Disposition

If the Complainant is not in agreement with the EEO Officer's findings and determination contained in the disposition, he or she may appeal the EEO Officer's decision in writing within ten (10) working days, to the County Judge.

The County Judge will then investigate the alleged violation and review relevant facts, and upon completion of this investigation, the County Judge will issue a decision within ten (10) working days, in consultation with the EEO Officer.

If the Complainant is not in agreement with the County Judge's finding and determination, he or she may appeal the County Judge's decision in writing within seven (7) working days to the Morris County Commissioners Court.

The Complainant will be advised that if the final decision is unacceptable, an appeal may be made to the EEOC or to the Texas Commission on Human Rights.

Special Provision

If any allegation of discrimination arises with the EEO Officer and/or against the EEO Officer, such allegations will be referred to the County Judge to process and investigate accordingly. Any attempts at resolution will be according to the above stated procedures.

For more information regarding Morris County Equal Opportunity policy, please contact:

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Morris County
500 Broadnax, Suite F, Daingerfield, TX 75638
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2018 EEOP Workforce Utilization Analysis:

The Morris County Judge, Commissioners, Auditor, and other staff members and consultants reviewed the 2018 Utilization Analysis (comparing Morris County's workforce to the relevant labor market), and noted the following:

1. The total population of Morris County as of July 1, 2017 is estimated to be **12,467**. This population group is estimated to be **52% female** and **48% male**. The Morris County disabled population between the ages of 18 and 65 is estimated to be 12.8%, or 886 people. The total number of non-disabled adults, between the ages of 18 and 65, is estimated to be **6,034**. This is the total pool of potential workers, which of course includes full-time students, those who are self-employed, full-time homemakers, and others who are not seeking employment.
2. Racial groups of all Morris County residents are estimated by the census bureau as follows:
 - White = 63.8% = 1,842 men and 1,996 women in potential workforce
 - Black = 23% = 637 men and 690 women in potential workforce
 - Hispanic = 10% = 290 men and 314 women in potential workforce
 - Native American = 1.3% = 35 men and 41 women in potential workforce
 - Asian = 0.6% = 17 men and 16 women in potential workforce
 - Islander = 0.1% = 3 men and 3 women in potential workforce
 - Two or more races = 2.6% = 72 men and 78 women in potential workforce

Again, it should be noted that the above estimates of the size of the "potential workforce" include **all** non-disabled adults ages 18 to 64, **without regard for employment qualifications**. This group includes full-time students, those who are self-employed, full-time homemakers, and others who are not seeking employment. **There are no available statistics on the actual number of qualified workers residing in Morris County who are currently seeking employment in each job category, by race and gender.**

3. The analysis table does not include elected officials and supervisory-level appointees, because those groups are specifically excluded from the provisions of 28 CFR §42.304.
4. No Hispanic or Latin males or females are presently employed by Morris County, although this group is shown by census data to make up 10% of the county population. However, the lack of Hispanic employees is thought to be due to a lack of qualified applicants rather than to discrimination, because no records indicate that any Hispanics have applied for any available positions over the past five years, and no one who participated in the development of this plan is aware of any Hispanic or Latin applicant for any County position. Efforts should be made to recruit qualified Hispanic applicants for any future open positions.

5. It is impossible to fairly evaluate any racial group or gender in the Official / Administrator category or in the Professionals category, because of the small number of available jobs in those categories. The County currently employs only two part-time Administrators and three part-time Professionals. All other Officials / Administrators are elected, and therefore exempt from this analysis.
6. White males are significantly over-represented in the following job categories: Protective Services (+22.6%) and Service / Maintenance (+39.5%). Conversely, white males are significantly under-represented in the Administrative Support Workers category (-22.5%). These discrepancies are believed to be due to the overwhelmingly large percentage of qualified white male applicants for positions as peace officers and as mechanics and maintenance workers, when compared to female applicants and applicants from other races, and to the lack of male applicants for clerical positions.
7. White females are significantly over-represented in the category of Administrative Support Workers (+58.9%); and are significantly under-represented in two categories: Protective Services (-8.1%) and Service / Maintenance (-33.1%). Again, these discrepancies are believed to be due to the lack of qualified white female applicants for positions as peace officers and as mechanics and maintenance workers, when compared to male applicants of all races, and to the overwhelming majority of qualified white female applicants for clerical positions.
8. Black males are slightly over-represented in the Protective Services category (+5.1%) and are significantly over-represented in the Service / Maintenance category (+19.4%). Black males are significantly under-represented in the Administrative Support Workers category (-10.6%). Again, these discrepancies are believed to be due to the overwhelmingly large percentage of qualified male applicants for positions as peace officers and as mechanics and maintenance workers, when compared to female applicants, and to the lack of male applicants for clerical positions.
9. Black females are slightly under-represented in the Protective Services category (-5.2%) and are significantly under-represented in the Administrative Support Workers (-11.4%), and Service / Maintenance Workers (-11.4%) categories. These discrepancies are believed to be due to the lack of qualified black female applicants for these positions.
10. All other ethnic groups comprise such a small part of Morris County's general population and workforce that no such group can be said to be significantly under-represented in any Morris County employment category; all negative deviations are less than 3%.

Conclusions: Morris County apparently does a good job in the recruitment and retention of Black male workers, but should continue to seek qualified Black female applicants and qualified Hispanic applicants of both genders. Morris County appears to have a commendable overall ratio of male and female employees (38 males and 34 females) which is not significantly different from the ratio of males to females in the general population (variance of less than 5%).

Objectives and Steps to be Taken:

To encourage Hispanic / Latin applicants in all job categories: Morris County will make outreach efforts that target Hispanic applicants (e.g., advertising openings in local Spanish-language media outlets, posting job availability notices on community bulletin boards in Hispanic communities).

Morris County shall continue to adhere to this EEO plan: The EEO policy will remain posted in conspicuous locations so that employees, applicants, and the general public are cognizant of Morris County's EEO commitment. The written EEO policy statement includes:

1. Morris County's commitment to EEO for all persons, regardless of race, color, creed, national origin, gender, sexual orientation, age, or disability.
2. A commitment to undertake an affirmative action program, including goals and timetables, to overcome the effects of past discrimination on minorities and women.
3. The responsibility for the implementation of the EEO program is assigned to all Morris County elected officials and supervisors, who will each be responsible to ascertain that the EEO policy is followed at all times, within that official or supervisor's area of influence.
4. All management personnel share in this responsibility and each may be assigned specific tasks to assure compliance is achieved.
5. Applicants and employees have the right to file complaints alleging discrimination with the appropriate official.
6. Performance by managers and supervisors will be evaluated on the success of the EEO program in the same way as their performance on other County goals; and
7. Successful achievement of EEO goals will provide benefits to the recipient / sub-recipient / contractor through fuller utilization and development of previously underutilized human resources.

Dissemination:

Formal communication mechanisms shall be established to publicize and disseminate Morris County's EEO policy, as well as appropriate elements of the program, to its employees, applicants, and the general public.

Internal Dissemination:

1. The Morris County Judge (or his / her designee), at least once annually in an All-Staff meeting for employees, as well as at each orientation program for new employees, will include a discussion of the EEOP Policy and Utilization Report and will inform employees that a copy is available to them upon request.
2. Morris County will keep two bound copies of the EEOP Policy and Utilization Report on display in public areas of the Morris County Courthouse, and will provide a copy to each department head.
3. Morris County will include a written notice in the standard Employee Handbook, explaining the EEOP and how employees may obtain a copy of the EEOP Utilization Report.
4. At each Morris County job site and office, Morris County will post a written notice on the bulletin boards in employee break areas, providing information on the EEOP and how employees can obtain a copy of the EEOP Utilization Report.

External Dissemination:

1. Morris County will post on its public website a PDF file of the EEOP and Utilization Report that any user may access and download.
2. All advertisements for open positions for Morris County will include a statement that the agency is an 'Equal Opportunity Employer.' This includes advertisements in all public media sources, such as radio and TV, newspapers, magazines, and association journals.
3. All Morris County employment applications shall include a statement that the agency is an 'Equal Opportunity Employer.'
4. Morris County will provide written notice to all job applicants, vendors and contractors that they may obtain a copy of the EEOP and current Utilization Report by downloading it from the Morris County website, or may obtain a printed copy upon request.
5. Morris County will provide its EEOP and Utilization Report to all regular recruitment sources, including Texas Workforce Commission.

Certification of Adoption

I understand the regulatory obligation under 28 C.F.R. §§42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEOP Utilization Report.

I have reviewed the foregoing EEOP Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

By signing below, I certify and agree to adhere to the Morris County EEO Policy and Affirmative Action Plan, and Circular UMTA C 4704.1 in its entirety.



[signature]

County Judge, Morris County

1-18-2019

[date]

